

UNITED STATES DISTRICT COURT

Western

District of

Tennessee

Triple H Distribution

V.

Schwarzkopf & Dep, Inc. et al

BILL OF COSTS

Case Number: 2:04cv2108

Judgment having been entered in the above entitled action on 3/24/2005 against Plaintiff,
 the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ <u>150.00</u>
Fees for service of summons and subpoena	<u>0.00</u>
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	<u>2,145.07</u>
Fees and disbursements for printing	<u>0.00</u>
Fees for witnesses (itemize on reverse side)	<u>0.00</u>
Fees for exemplification and copies of papers necessarily obtained for use in the case	<u>0.00</u>
Docket fees under 28 U.S.C. 1923	<u>0.00</u>
Costs as shown on Mandate of Court of Appeals	<u>0.00</u>
Compensation of court-appointed experts	<u>0.00</u>
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	<u>0.00</u>
Other costs (please itemize)	<u>0.00</u>
TOTAL	\$ <u>2,295.07</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Adam Nahmias, Esquire

Signature of Attorney: John T. WinemillerName of Attorney: John T. WinemillerFor: Henkel Corp., for itself and as successor by merger to Schwarzkopf & Dep, Inc.Date: 4/21/05

Name of Claiming Party

Costs are taxed in the amount of \$2,108.07

and included in the judgment.

Clerk of Court

By:

Deputy Clerk

5/23/05
Date

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 5/23/05

89

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

Rule 58 (In Part)

“Entry of the judgment shall not be delayed for the taxing of costs.”

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
at MEMPHIS

TRIPLE H DISTRIBUTING, INC.)
Plaintiff,)
v.) No. 2:04-CV-2108
SCHWARZKOPF & DEP, INC. AND) Mays/Anderson
HENKEL CORPORATION)
Defendants.)

ITEMIZATION OF COSTS

Deposition of Gene Hamilton:

Description	Total
Attendance - Deposition	\$160.00
Original & Copy (expedite)	\$1,078.47
Exhibits	\$1.00
Binding/Handling	\$37.00
Notary Fee	\$4.00

A copy of the documentation to support these charges is attached as Exhibit A.

Deposition of Larry Hamilton:

Description	Total
Original & Copy	\$573.10
Exhibits	\$1.50
Notary Fee	\$4.00

A copy of the documentation to support these charges is attached as Exhibit B.

Deposition of Ernie Becker:

Description	Total
Copy	\$286.00

A copy of the documentation to support these charges is attached as Exhibit C.



ALPHA REPORTING CORPORATION

"1ST IN REPORTING AND SERVICE"

John Lucas
Hunton & Williams LLP
Riverview Tower, 900 Gay Street
Suite 2000
Knoxville, TN 37902

Wednesday, December 15, 2004

Invoice #

2949CAF

Remit to:

100 North Main Building, Lobby
Memphis, Tennessee 38103

(901) 523-8974 FAX (901) 523-8975
(800) 556-8974

www.alphareporting.com

Tax Number Terms: Payable upon receipt
62-1162456 1.5% per month

Witness: Hamilton, Gene

Case: Triple H. Distribution, Inc. vs. Schwarzkopf & Dep, Inc. & Henkel Corporati

Venue:

Case #: 2:04-CV-2108

Date: 12/7/2004

Start Time: 9:00 AM

End Time: 3:45 PM

Reporter: Riley, Alpha Productions

Claim #:

File #:

4791LNW

Description	Total
Attendance - Deposition	\$160.00
Original & 1 Copy (Expedite)	\$1,078.47
Condensed	\$51.75
Disk - 2 Files	\$25.00
Exhibits - Scan, Copy, Tab & Bind	\$1.00
Binding/Handling	\$37.00
Notary Fee	\$4.00
2/25/2005 finance charge	\$48.19
Sub Total	\$1,405.41
Payments	\$0.00
Balance Due	\$1,405.41

Method of Payment:

Check Enclosed

Charge my credit card:

Please make check payable to:

VISA MasterCard

Signature (as it appears on your credit card)

Alpha Reporting Corporation

Print Name (as it appears on your credit card)

Credit Card #

Exp. Date

Daytime Telephone

Payment Due Upon Receipt of Invoice



**ALPHA
REPORTING
CORPORATION**

"1ST IN REPORTING AND SERVICE"

John Winmiller
Hutton & Williams
Riverview Tower 900 South Gay St.
Suite 2000
Knoxville, TN 37902

Tuesday, December 28, 2004

5712MA

Remit to:

100 North Main Building, Lobby
Memphis, Tennessee 38103

(901) 523-8974 FAX (901) 523-8975
(800) 556-8974

www.alphareporting.com

Tax Number Terms: Payable upon receipt
62-1162456 1.5% per month

Witness: Hamilton, Gene

Case: Triple H. Distribution, Inc. vs. Schwarzkopf & Dep. Inc. & Henkel Corporati

Venue:

Case #: 2:04-CV-2108

Date: 12/7/2004

Start Time: 9:00 AM

End Time: 3:45 PM

Reporter: Riley, Alpha Productions

Claim #:

File #:

4791LNW

Description	Total
Video Appearance	\$320.00
Video Additional Hour/Hours	\$225.00
Mini DV	\$100.00
Shipping/Handling	\$15.00
Sub Total	\$660.00
Payments	\$0.00
Balance Due	\$660.00

Method of Payment:

Check Enclosed

Charge my credit card:

Please make check payable to:

VISA MasterCard

Signature (as it appears on your credit card)

Alpha Reporting Corporation

Print Name (as it appears on your credit card)

Credit Card #

Exp. Date

Daytime Telephone

Payment Due Upon Receipt of Invoice



Wednesday, December 15, 2004

2951CAF

John Lucas
 Hunton & Williams LLP
 Riverview Tower, 900 Gay Street
 Suite 2000
 Knoxville, TN 37902

Remit to:

100 North Main Building, Lobby
 Memphis, Tennessee 38103

(901) 523-8974 FAX (901) 523-8975
 (800) 556-8974

www.alphareporting.com

Tax Number Terms: Payable upon receipt
 62-1162456 1.5% per month

Witness: Hamilton, Lawrence

Case: Triple H. Distribution, Inc. vs. Schwarzkopf & Dep, Inc. & Henkel Corporati

Venue:

Case #: 2:04-CV-2108

Date: 12/7/2004

Start Time: 9:00 AM

End Time: 3:45 PM

Reporter: Kristy Farley

Claim #:

File #:

810cap

Original & 1 Copy (Expedite)	\$573.10
Condensed	\$27.50
Exhibits - Scan, Copy, Tab & Bind	\$1.50
Notary Fee	\$4.00

Sub Total	\$606.10
Payments	\$0.00
Balance Due	\$606.10

Method of Payment:

Check Enclosed

Please make check payable to:

Charge my credit card:

VISA MasterCard

Signature (as it appears on your credit card)

Alpha Reporting Corporation

Credit Card #

Exp. Date

Print Name (as it appears on your credit card)

Daytime Telephone

Payment Due Upon Receipt of Invoice

PRECISE

REPORTING, INC.

Post Office Box 876 • Seymour, TN 37865-0876
 Telephone (865) 908-6565 • Toll Free (888) 768-6565 • Fax (865) 428-5919
 e-mail: precisereporters@aol.com • web: www.precisereporting.net

Court reporters located throughout Tennessee

DATE: January 16, 2005

INVOICE # 3554

John T. Winemiller, Esquire
 Hunton & Williams
 900 S. Gay Street, Suite 2000
 Knoxville, TN 37902

RE: Triple H Distribution, Inc. vs.
 Schwarzkopf & Dep, Inc. and Henkel Corporation
 UNITED STATES DISTRICT COURT FOR THE
 WESTERN DISTRICT OF TENNESSEE AT
 MEMPHIS
 Case No. 2:04-CV-2108

REPORTER: Karen Oteri

Date of Service	Description	Amount
1/11/05	One transcript copy of Ernest Becker	\$ 286.00
	Condensed transcript/Indexing - Complimentary	n/c
	One ASCII Disk - Complimentary	n/c
	Delivered 1/16/05	
		—
		TOTAL AMOUNT DUE
		\$ 286.00

THANK YOU FOR YOUR BUSINESS!

All invoices are due within 30 days. Otherwise, late fees and collection costs will be added to the invoice amount.

ORIGINAL



Notice of Distribution

This notice confirms a copy of the document docketed as number 89 in case 2:04-CV-02108 was distributed by fax, mail, or direct printing on June 2, 2005 to the parties listed.

John A. Lucas
HUNTON & WILLIAMS
900 S. Gay St.
Knoxville, TN 37902

Paul Howard Morris
MARTIN TATE MORROW & MARSTON
6410 Poplar Ave.
Ste. 1000
Memphis, TN 38119

John T. Winemiller
HUNTON & WILLIAMS
P.O. Box 951
Knoxville, TN 37901

James L. Holt
JACKSON SHIELDS YEISER HOLT SPEAKMAN & LUCAS
262 German Oak Dr.
Memphis, TN 38018

Robert DiTrolio
U.S. DISTRICT COURT
167 N. Main St.
Ste. 242
Memphis, TN 38103

Adam M. Nahmias
JACKSON SHIELDS YEISER HOLT SPEAKMAN & LUCAS
262 German Oak Dr.
Memphis, TN 38018

Honorable Samuel Mays
US DISTRICT COURT